

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

BOEHRINGER INGELHEIM PHARMACEUTICALS INC.,
BOEHRINGER INGELHEIM INTERNATIONAL GMBH,
BOEHRINGER INGELHEIM CORPORATION,
and BOEHRINGER INGELHEIM PHARMA GMBH & CO. KG,

Plaintiffs,

v.

// Civ. Action No. 1:20CV19
Consolidated with 1:20CV90
and 1:24CV82
(Judge Kleeh)

MYLAN PHARMACEUTICALS INC., MYLAN INC.,
and MYLAN LABORATORIES LIMITED,

Defendants.

ORDER ADOPTING JOINT AMENDED CASE SCHEDULE

On March 5, 2025, the parties filed a joint, proposed case schedule [ECF No. 289]. Upon consideration, the Court **ADOPTS** the proposed schedule and **ORDERS** that the following table of dates and deadlines shall govern the further preparation of this case.

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|---|----------------|
| Plaintiffs Serve Initial Infringement Contentions and Defendants Serve Initial Invalidity Contentions | March 18, 2025 |
| Plaintiffs Respond to Initial Invalidity Contentions and Defendants Respond to Initial Infringement Contentions | April 2, 2025 |
| Substantial Completion of Document Production | April 9, 2025 |
| Parties identify claim terms for construction | April 9, 2025 |
| Parties exchange proposed constructions and identification of intrinsic evidence | April 16, 2025 |

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| Parties Stipulate to Admissibility of Business Records for Trial | April 16, 2025 |
| Plaintiffs Serve Final Infringement Contentions and Defendants Serve Final Invalidity Contentions | April 28, 2025 |
| Close Of Fact Discovery | April 25, 2025 |
| Parties simultaneously file opening claim construction briefs | May 2, 2025 |
| Opening Expert Reports on Issues for Which a Party Bears the Burden of Proof | May 2, 2025 |
| Parties simultaneously file responsive claim construction briefs | May 23, 2025 |
| Responsive Expert Reports | May 28, 2025 |
| Reply Expert Reports Limited to Secondary Considerations | June 13, 2025 |
| Close of Expert Discovery | July 2, 2025 |
| Claim Construction Hearing | During Trial |
| Pretrial Disclosures Under Fed. R. Civ. P. 26(a) (3) | July 14, 2025 |
| Motions in Limine and Daubert Motions | July 16, 2025 |
| Responses to Motions in Limine and Daubert Motions | July 25, 2025 |
| Pretrial Order & Stipulation of Facts | July 28, 2025 |
| Pretrial Conference | August 4, 2025, at 1:20 p.m. (previously scheduled by the Court) |
| Bench Trial | August 25, 2025, at 9:30 a.m. (previously scheduled by the Court) |

The time limitations set forth above shall not be altered except as set forth in L.R. Civ. P. 16.01(f).

All dates for submissions, deliveries and filings with the

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Clerk or the Court refer to the date the materials must be actually received not the mailing date.

Failure on the part of counsel to appear at the pretrial conference or to comply with the requirements of this order will subject the party or attorney to appropriate sanctions under the Rules and may result in dismissal or striking of all pleadings of the failing party or person. Compliance with this order includes timely and good faith effort by all parties to meet and jointly prepare the final pretrial order and other items described above.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to counsel of record.

DATED: March 14, 2025

Tom S Kline

THOMAS S. KLEEH, CHIEF JUDGE
NORTHERN DISTRICT OF WEST VIRGINIA